

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE

In the matter of:

Debra Ann Bradley,

Debtor

Chapter 13
Case No. 15-20710

TRUSTEE'S OBJECTION TO CONFIRMATION OF AMENDED PLAN

NOW COMES the standing Chapter 13 trustee, Peter C. Fessenden, by and through his undersigned staff attorney, and objects to confirmation of the amended plan (docket # 17), as follows:

1. At the meeting of creditors on January 11, 2016, the trustee requested the following:
 - a. A copy of the divorce judgment and documentation of the debt allegedly owed to the Debtor's former spouse, Kevin Bradley; and
 - b. Information about the dates and amounts of possibly avoidable transfers to family members from the Debtor's Worker's Compensation settlement and other information that the Debtor asserts show that she was not insolvent at the time of the transfers.

According to the trustee's records, he has not yet received the requested information and documentation. The trustee's requests are relevant to whether the plan has been proposed in good faith, satisfies the liquidation test, and is feasible as required by 11 U.S.C. §§ 1325(a)(3), 1325(a)(4), and 1325(a)(6). Therefore, the trustee repeats his requests and objects to confirmation on the basis of §§ 521(a)(3), 1325(a)(3), 1325(a)(4), and 1325(a)(6).

2. No creditors have yet filed claims. Non-governmental creditor claims are due by February 11, 2016. Governmental claims are due by Monday, April 11, 2016. None of the claims listed on the Debtor's schedules appear to be governmental in nature. The trustee's concerns listed in the prior paragraph will be moot if there are no allowed creditor claims.
3. As of today (February 9), the Debtor is current on her payments to the trustee. However, she made her January payment today. Another payment of \$130 will come due on February 13, 2016. The Debtor should make her February payment before the plan is confirmed.

WHEREFORE, the trustee respectfully requests that this Court deny confirmation of the plan, together with such other relief as this Court finds just and reasonable.

Respectfully Submitted:

Date: February 9, 2016

/s/ William H. Sandstead

WILLIAM H. SANDSTEAD, Esq.
PETER C. FESSENDEN, Esq., Trustee
Standing Chapter 13 Trustee
Post Office Box 429
Brunswick, Maine 04011-0429
(207) 725-1300

CERTIFICATE OF SERVICE
FOR ELECTRONIC CASE FILING

I, **William Sandstead, Esq.**, hereby certify that I caused a true and correct copy of the following document(s) to be served today on the parties listed below as follows:

Document(s) Served: Trustee's objection, filed herewith

Service electronically via the Court's ECF system to:

E. Chris L'Hommedieu, Esq., Debtor's Counsel
Stephen Morrell, Esq., Assistant U.S. Trustee
All other parties listed on N.E.F. as being served electronically.

Service by U.S. first class mail, postage prepaid, to:

Debra Ann Bradley
310 Franklin Street
Rumford, ME 04276

Signed:

Date: February 9, 2016

/s/ William H. Sandstead

WILLIAM H. SANDSTEAD, Esq.
PETER C. FESSENDEN, Esq., Trustee
Standing Chapter 13 Trustee
Post Office Box 429
Brunswick, Maine 04011-0429
(207) 725-1300